

Mach-2 CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Lisa B. Arthur  
Group Art Unit : 1634  
Applicants : Bernard F. Mach et al.  
Serial No. : 08/484,786  
Filed : June 7, 1995  
For : DNA SEQUENCES CODING FOR THE DR  $\beta$ -CHAIN LOCUS OF THE HUMAN LYMPHOCYTE ANTIGEN COMPLEX AND POLYPEPTIDES, DIAGNOSTIC TYPING PROCESSES AND PRODUCTS RELATED THERETO

Hon. Assistant Commissioner  
for Patents  
Washington, D.C. 20231

New York, New York  
October 28, 1998

DECLARATION OF MARGARET A. PIERRI

I, MARGARET A. PIERRI, declare that:

1. I am an attorney of record in the above-identified application. I make this declaration to set forth facts related to three clones containing the sequences of HLA-DR- $\beta$ -A, HLA-DR- $\beta$ -B and HLA-DR- $\beta$ -C deposited in the American Type Culture Collection ("ATCC") deposited in connection with the parent of the above-identified application, United States patent application Serial No. 07/902,999, filed June 23, 1992 (now United States patent 5,503,976), which is in turn a divisional of United States patent application Serial No. 06/518,393 (now

United States patent 5,169,941), which in turn claims priority under 35 U.S.C. § 119, from Great Britain patent application 8222066, filed July 30, 1982 and Great Britain patent application 8230441, filed October 25, 1982, including the permanence and availability of those deposits.

2. I identify the following documents which demonstrate that the clones containing the sequences of HLA-DR- $\beta$ -A, HLA-DR- $\beta$ -B and HLA-DR- $\beta$ -C were deposited in a depository affording permanence of the deposits and ready accessibility thereto by the public if a patent is granted on this application:

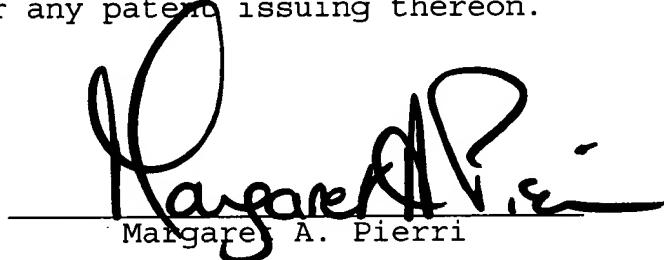
Exhibit 1 -- a true copy of a July 29, 1982 Receipt Of Deposit from the ATCC. This exhibit records that the clones containing the sequences of HLA-DR- $\beta$ -A, HLA-DR- $\beta$ -B and HLA-DR- $\beta$ -C were deposited with the ATCC on July 28, 1982, and were assigned ATCC Accession Numbers 39164, 39163 and 39165, respectively.

3. As indicated on the Deposit Receipt, the material deposited under ATCC Accession Numbers 39164, 39163 and 39165 will be maintained by the ATCC for a period of 30 years from the date of the deposit (i.e. July 28, 2012).

4. This Declaration is intended to apply to the above-identified application, as well as co-pending United States patent application Serial No. 08/486,804 and all future

related applications the claims of which refer to the clones containing the HLA-DR- $\beta$ -A, HLA-DR- $\beta$ -B and HLA-DR- $\beta$ -C sequences.

5. The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.



Margaret A. Pierri

Signed at New York, New York  
this 28th day of October 1998